

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUIS LUCERO, JOAQUIN COLIN, and JOSE ARGUETA,
individually and on behalf of all others similarly situated,

Plaintiff,

Civil Action No.
1:21-cv-08675-LGS

-against-

SHAKER CONTRACTORS, CORP. and SHER GUL,

Defendants.
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STATEMENT OF DAMAGES

Principal amount sued for.....\$366,320.69

Plaintiff Luis Lucero:

Wage/Hour Interest at 9% of \$23,188.00
from June 6, 2017 until January 19, 2022.....\$9,651.29

Plaintiff Joaquin Colin:

Wage/Hour Interest at 9% of \$52,957.35
from February 19, 2018 until January 19, 2022.....\$18,672.91

Plaintiff Jose Argueta:

Wage/Hour Interest at 9% of \$92,015.00
from March 26, 2018 until January 19, 2022.....\$31,650.64

Attorneys' Fees\$11,452.50

Costs and Disbursements:

Clerk's fee.....\$402.00
Process Server fee for service.....\$279.00
Translations.....\$657.20

Total (as of January 19, 2022).....\$439,086.23

AFFIX AS EXHIBITS – COPY OF:

PLAINTIFFS' DAMAGES CALCULATIONS SPREADSHEET

Summary of Plaintiffs' Damages

Plaintiff	Unpaid OT Wages	Unpaid Regular Wages	Unpaid Spread of Hours Wages	Total Unpaid Wages	Liquidated Damages	Notice Penalties	Total
Luis Lucero	\$19,188.00	\$4,000.00	\$0.00	\$23,188.00	\$23,188.00	\$10,000.00	\$56,376.00
Joaquin Colin	\$47,057.35	\$5,900.00	\$0.00	\$52,957.35	\$52,957.35	\$10,000.00	\$115,914.69
Jose Argueta	\$81,415.00	\$4,300.00	\$6,300.00	\$92,015.00	\$92,015.00	\$10,000.00	\$194,030.00
Totals	\$147,660.35	\$14,200.00	\$6,300.00	\$168,160.35	\$168,160.35	\$30,000.00	\$366,320.69

Plaintiffs' Damages Calculations

Plaintiff	Period Start	Period End	Weeks Worked	Hours Worked Per Week	Daily Salary	Reg. Rate of Pay	OT Premium Rate	OT Hours Worked Per Week	OT Wages Owed Per Week	Unpaid OT Wages	OT Liquidated Damages	Payroll Notices	Unpaid Late Wages	Unpaid Late Wages Liquidated damages	Total
Luis Lucero	6/10/2015	12/31/2015	29	50	\$ 140.00	\$ 16.80	\$8.40	10	\$84.00	\$2,436.00	\$2,436.00				\$4,872.00
	1/1/2016	12/31/2016	52	50	\$ 147.50	\$ 17.70	\$8.85	10	\$88.50	\$4,602.00	\$4,602.00				\$9,204.00
	1/1/2017	12/31/2017	52	50	\$ 155.00	\$ 18.60	\$9.30	10	\$93.00	\$4,836.00	\$4,836.00				\$9,672.00
	1/1/2018	12/31/2018	52	50	\$ 162.50	\$ 19.50	\$9.75	10	\$97.50	\$5,070.00	\$5,070.00				\$10,140.00
	1/1/2019	6/3/2019	22	50	\$ 170.00	\$ 20.40	\$10.20	10	\$102.00	\$2,244.00	\$2,244.00				\$4,488.00
										\$19,188.00	\$19,188.00	\$10,000.00	\$4,000.00	\$4,000.00	\$56,376.00

Interest Calculations - Luis Lucero			
Principal	\$23,188.00	Start Date	6/10/2015
Annual Interest Rate	9%	End Date	6/3/2019
Daily Interest Rate	0.000246575	1/2 Total Days	727
Daily Interest Amount	\$5.72	Midpoint Date	6/6/2017
Midpoint Date	6/6/2017		
Today's Date	1/19/2022		
# of Days from Midpoint to Today	1688		
Interest to Date	\$9,651.29		

Plaintiff	Period Start	Period End	Weeks Worked	Hours Worked Per Week	Daily Salary	Reg. Rate of Pay	OT Premium Rate	OT Hours Worked Per Week	OT Wages Owed Per Week	Unpaid OT Wages	Liquidated Damages	Payroll Notices	Unpaid Late Wages	Unpaid Late Wages Liquidated damages	Total
Joaquin Colin	6/10/2015	12/31/2015	29	58	\$ 200.00	\$ 24.14	\$12.07	18	\$217.24	\$6,300.00	\$6,300.00				\$12,600.00
	1/1/2016	12/31/2016	52	58	\$ 200.00	\$ 24.14	\$12.07	18	\$217.24	\$11,296.55	\$11,296.55				\$22,593.10
	1/1/2017	4/30/2017	17	58	\$ 200.00	\$ 24.14	\$12.07	18	\$217.24	\$3,693.10	\$3,693.10				\$7,386.21
	5/1/2017	12/31/2017	35	52	\$ 200.00	\$ 23.08	\$11.54	12	\$138.46	\$4,846.15	\$4,846.15				\$9,692.31
	1/1/2018	12/31/2018	52	52	\$ 200.00	\$ 23.08	\$11.54	12	\$138.46	\$7,200.00	\$7,200.00				\$14,400.00
	1/1/2019	3/31/2019	13	52	\$ 200.00	\$ 23.08	\$11.54	12	\$138.46	\$1,800.00	\$1,800.00				\$3,600.00
	4/1/2019	12/31/2019	39	52	\$ 210.00	\$ 24.23	\$12.12	12	\$145.38	\$5,670.00	\$5,670.00				\$11,340.00
	1/1/2020	10/31/2020	43	52	\$ 210.00	\$ 24.23	\$12.12	12	\$145.38	\$6,251.54	\$6,251.54				\$12,503.08
										\$47,057.35	\$47,057.35	\$10,000.00	\$5,900.00	\$5,900.00	\$115,914.69

Interest Calculations - Joaquin Colin			
Principal	\$52,957.35	Start Date	6/10/2015
Annual Interest Rate	9%	End Date	10/31/2020
Daily Interest Rate	0.000246575	1/2 Total Days	985
Daily Interest Amount	\$13.06	Midpoint Date	2/19/2018
Midpoint Date	2/19/2018		
Today's Date	1/19/2022		
# of Days from Midpoint to Today	1430		
Interest to Date	\$18,672.91		

Plaintiffs' Damages Calculations

Plaintiff	Period Start	Period End	Weeks Worked	Hours Worked Per Week	Daily Salary	Reg. Rate of Pay*	OT Premium Rate	OT Hours Worked Per Week	OT Wages Owed Per Week	Spread of Hours	Unpaid OT Wages	Liquidated Damages	Payroll Notices	Unpaid Late Wages	Unpaid Late Wages Liquidated damages	Total
Jose Argueta	6/10/2015	12/31/2015	29	78	\$ 140.00	\$ 13.08	\$6.54	38	\$248.46	\$0.00	\$7,205.38	\$7,205.38				\$14,410.77
	1/1/2016	12/31/2016	52	78	\$ 147.50	\$ 13.75	\$6.88	38	\$261.25	\$0.00	\$13,585.00	\$13,585.00				\$27,170.00
	1/1/2017	12/31/2017	52	78	\$ 155.00	\$ 14.42	\$7.21	38	\$274.04	\$0.00	\$14,250.00	\$14,250.00				\$28,500.00
	1/1/2018	12/31/2018	52	78	\$ 162.50	\$ 15.10	\$7.55	38	\$286.83	\$0.00	\$14,915.00	\$14,915.00				\$29,830.00
	1/1/2019	12/31/2019	52	78	\$ 170.00	\$ 15.77	\$7.88	38	\$299.62	\$3,120.00	\$15,580.00	\$18,700.00				\$37,400.00
	1/1/2020	12/31/2020	52	78	\$ 170.00	\$ 15.77	\$7.88	38	\$299.62	\$3,120.00	\$15,580.00	\$18,700.00				\$37,400.00
	1/1/2021	1/10/2021	1	78	\$ 170.00	\$ 15.77	\$7.88	38	\$299.62	\$60.00	\$299.62	\$359.62				\$719.23
										\$6,300.00	\$81,415.00	\$87,715.00	\$10,000.00	\$4,300.00	\$4,300.00	\$194,030.00

*Includes \$40 per week in addition to Argueta's daily wages

Interest Calculations - Jose Argueta			
Principal	\$92,015.00	Start Date	6/10/2015
Annual Interest Rate	9%	End Date	1/10/2021
Daily Interest Rate	0.000246575	1/2 Total Days	1020.5
Daily Interest Amount	\$22.69	Midpoint Date	3/26/2018
Midpoint Date	3/26/2018		
Today's Date	1/19/2022		
# of Days from Midpoint to Today	1395		
Interest to Date	\$31,650.64		